

Appl. No. 10/661,735  
Amdt. Date May 23, 2005  
Reply to the Office Action of February 22, 2005

### **REMARK**

In response, Applicants amend claims 1-3, 5-6 and 11 to clearly point out the subject matter as which Applicants regard their invention, add claims 13-16, and reverse the rejections of claims 3-12. Applicants respectfully submit that all pending claims have been placed in allowance position, for the following detailed reasons:

#### **Part 1) Claims Rejections Under 35 U.S.C. § 112**

Claims 1-8 and 12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Particularly, the specification does not define what is "rough enough" to prevent the bottom surface from sucking the corresponding top surface of the pick up cap.

Also, it is not seen how the spacers are construed to be perpendicular to one another.

**In response**, Applicants would like to clarify that the invention claimed in each of claims 1-8 and 12, is to introduce **arrangement of a rough bottom surface** of the bottom portion of the upper hard tray **between the bottom portion and the pick up cap** on adjacent lower hard tray on which the upper hard tray is mounted, thereby preventing the bottom surface of the upper hard tray from sucking the corresponding top surface of the pick up cap of one socket connector on the adjacent lower hard tray, **but not to introduce how to make the bottom surface rough or tell what is the scope or content of surface rough enough**.

Further, in fact, it is well known, for one skilled in the art, how to make a surface rough enough to the extent that the surface can not suck with another surface on which the surface is mounted when the surface is spaced away from said another surface. Thus, the instant invention does not need to disclose an example or specific parameters regarding rough degree of the bottom surface

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which is known to one skilled in the art (*see Hybritech v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1384 (Fed. Cir. 1986)).

Regarding the spacers, as detailed in the paragraph [0020] of the specification of one preferred embodiment of the instant invention, a plurality of parallel first spacers 20 is transversely formed on the bracket body 23. A plurality of parallel second spacers 22 is longitudinally formed on the bracket body 23. Accordingly, the specification clearly discloses the first and second spacers are configured to be perpendicular to each other in the preferred embodiment. Further, FIGS. 1 and 2 also clearly show that position relationship between the first and second spacers.

Therefore, it is respectfully submitted that the specification and drawings of the preferred embodiment of the instant invention fully support each limitation of each pending claim and enable one skilled in the art to understand or practice the way the invention claimed in each of claims 1-8 and 12 does, and that drawings have been done to comply with 37 CFR 1.83(a). Accordingly, the rejections proposed should be withdrawn.

**Part 2) Objection to Drawings Under 37 C.F.R. § 1.83(a)**

In response, as clarified in Part 1, FIGS. 1 and 2 of one preferred embodiment clearly show the first and second spacers are perpendicular to each other. Thus, the objection should be withdrawn.

**Part 3) Claims Rejections Under 35 U.S.C. § 103(a)**

Particularly, claims 1-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art of FIGS 5-7 (hereinafter APA) in view of Robertson (US Patent No. 3, 195,770, hereinafter, Robertson)

Also, claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art of FIGS. 5-7 (hereinafter APA) in view of Dougherty (US Patent No. 2,588,812, hereinafter, Dougherty)

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**In response**, firstly, Applicants would like to emphasize that:

Claim 1, inter alia, recites that when the hard tray is needed to be removed from said another hard tray, **the rough bottom surface is configured to have enough rough characteristics, thereby to prevent the bottom surface from sucking the top surface of the pick up cap mounted a corresponding socket connector received said another hard tray;**

Claim 9, inter alia, recites "a bottom surface of said bottom portion is **not smoothly planar** so as not to result in **improper suction between the bottom portion and the upward top plane of said another electronic part when the upward top plane of said electronic part is suctioned .....** for displacement of said electronic part"; and

Claim 11, inter alia, recites "the bottom portion defines a bottom surface which is configured to be **not smoothly planar but with either recesses or openings** therein for **preventing suction derived from a plane vs. plane structure between the bottom surface and the planar top surface of another electronic part located right below said bottom portion**".

**Sub-part 1)** pending claims 1-11 each are defined patentably over Robertson, the APA and any combination thereof.

Firstly, Applicants would like to clarify that Robertson should not be regarded as prior art against the present invention claimed in each of claims 1-11. Firstly, Robertson refers to multi-capsule plastic packages and members for use in manufacturing the same, which is quite different from the art filed of the instant invention claimed in each of claims 1-11--stackable hard trays for carrying socket connectors.

Secondly, Robertson' abutment only addresses the problem of **sticking** of two adjacent nested members that **are the same kind of matter, e.g. the members 10.**

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However, the present invention claimed in each of claims 1-11 is mainly to prevent one member, e.g. the hard tray from sucking with another different member, e.g. a pick up cap or an electrical part. Apparently, the problem Robertson endeavors to address is also different from the problem the present invention claimed in each of claims 1-11 is created to resolve.

Accordingly, Robertson should not be qualified to be prior art against the present invention claimed in each of claims 1-11. (*see Deminski*, 796 F.2d 436, 442, 230 USPQ 313, 315 (Fed. Cir. 1986); *Wood*, 599, F.2d 1032, 1036, 202 USPQ 171, 174 (CCPA 1979)).

Furthermore, even though Robertson can be prior art against the present invention claimed in each of claims 1-11, Robertson only teaches that the offset is provided extending across the end of the upper member 10 and extending along the sides 26 and 28 for approximately half the length of the sides 26 and 28, and that the offset 14 is formed with the abutment, the abutment being rested on the portion of the sheet 24 in which there is no abutment (see col. 3, ll. 7 to 19), thereby to space nested individual members 10. Nothing can be found to suggest or teach that the member 10 is configured to have a rough or not smoothly planar surface mated with the other member 10, thereby to space the nested members 10.

Instead, Robertson only suggests a surface with an abutment which is quiet different from a rough or rough or not smoothly planar surface.

Particularly, if the bottom surface of the bottom portion of the hard tray of the APA is modified to be formed with the abutment, said abutment formed on the surface of APA will make an upper hard tray of the APA space away from an adjacent lower hard tray because a gap between two adjacent bottom portions (see paragraph [0005] the specification), much less to the gap between the bottom surface of an upper hard tray and the top surface of the pick up cap on the socket connector on a closest lower hard tray. This makes the stacking of the hard trays

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unstable.

Furthermore, said combination will make the weight of all the hard trays above one hard tray press on said one hard tray via the abutments modified on the hard tray which is suspendingly located above and in the closest relation to said one hard tray. This may destroy the abutments, or all the weight acted on the abutments destroys the abutments or/and the hard tray on which the abutments are pressed.

According, said combination will bring the modified hard tray inferior or destroyed, much less to carry out the invention claimed in claims 1, 9 and 11, respectively. Thus, said combination is not reasonable (*see Waack, 947 F.2d 488, 493 (Fed. Cir. 1991)*).

In view of the above, even though Robertson can be qualified to be prior art against the present invention claimed in each of claims 1-11, said combination of the APA and Robertson still fails to suggest and teach the invention claimed in each of claims 1, 9 and 11. That is, it would have not been obvious, for one skilled in the art, to combine Robertson and the APA to reach the invention as each of claims 1, 9 and 11 claims.

Applicants have viewed all the other cited references, and concluded that all of the cited references and the APA, alone or in combination, fail to teach or suggest the invention as each of claims 1, 9 and 11 claims. Accordingly, it is respectfully submitted that claims 1, 9 and 11 each are defined patentably over all the cited references and the APA, and any combination thereof, and should be allowed.

Claims 2-8 and 10 are directly or indirectly dependent on claim 1 and 9, respectively, and should, therefore, be allowed.

**Sub-part 2)** claims 1-12 each are defined patentably over Dougherty, the APA

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and any combination thereof.

Particularly, firstly, Dougherty refers to the art field of wax cakes that is very different from the art field of the present invention claimed in each of claims 1-12—the hard tray for carrying socket connectors. Secondly, Dougherty' ridges 12 addresses the problem of supporting the wax (*see col. 3, ll. 59 to 61*) and enabling worker easily grasping the wax (*see col. 3, ll. 50 to 57*). Instead, Dougherty' ridges 12 have never been suggested or taught to separate the same kind of member which have the same matter, e.g. the wax cakes. However, the present invention claimed in each of claims 1-12 is mainly to prevent one member, e.g. the hard tray from sucking with another different member, e.g. a pick up cap or an electrical part. Apparently, the problem Dougherty endeavors to address is also different the problem of the present invention claimed in each of claims 1-12.

Accordingly, Dougherty should not be regarded to be prior art against the present invention claimed in each of claims 1-12. (*see Deminski, 796 F.2d 436, 442, 230 USPQ 313, 315 (Fed. Cir. 1986); Wood, 599, F.2d 1032, 1036, 202 USPQ 171, 174 (CCPA 1979)*).

Even though Dougherty can be presumed to be prior art against the present invention claimed in each of claims 1-12, Dougherty does not provide teaching to combine with the APA to reach for the invention claimed in amended claims 1 9 and 11, respectively.

Particularly, the so-called ridges 12 and 18 **do not touch each other**, rather are **separated by a single paper separator 12** (*see col. 3; ll. 20 to 23 and FIG. 2*).

Instead, the surface of the separator which is in contact with either of the cakes it divides is kept at a minimum and present no difficulty in separation or in removing any piece of the paper which might stick to the surface (*see col. 3; ll. 23 to 29 and FIG. 2*). That is, Dougherty never teaches that one wax cake 10 is configured to have a **rough surface** or **not smoothly planar surface** mated with

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an adjacent stacked wax cake 10, thereby to space the two wax cakes away when said one wax cake is removed from said another wax cake.

Accordingly, even though Dougherty can be presumed to be prior art against the present invention claimed in each of claims 1-12, the combination of the APA and Dougherty still fails to suggest and teach the invention claimed in each of claims 1, 9 and 11. That is, it would have not been obvious, for one skilled in the art, to combine Dougherty and the APA to reach the invention as each of claims 1, 9 and 11 claims.

Applicants have viewed all the other cited references, and concluded that all of the cited references and the APA, alone or in combination, fail to teach or suggest the invention claimed in each of claims 1, 9 and 11. Accordingly, it is respectfully submitted that claims 1, 9 and 11 each are defined patentably over all the cited references and the APA, and any combination thereof, and should be allowed.

Claims 2-8, 10, 12 and added claims 13-16 are correspondingly dependent on claim 1, 9 and 11, and should, therefore, be allowed.

Additionally, Applicants would like to respectfully submit that none of all the cited references and the APA discloses "the openings at symmetrically opposite ends of the bracket body are partly closed by corresponding bottom portions" and "the remaining openings are fully closed by corresponding bottom portions". The important distinguishable features are respectively claimed in dependent claims 6-7 and 13-16. Thus, dependent claims 6-7 and 13-16 each are more patentably over all the cited references and the APA, and any combination thereof.

### Conclusion

In view of the above, Applicants respectfully assert that all the pending claims are patentably distinguishable from the prior art. Therefore, Applicants respectfully

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submit that this application is now placed in condition for allowance, and that an action to this effect is earnestly requested.

Respectfully submitted,

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